

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 9, 1997
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 11:07 a.m. Mayor Golding adjourned the regular meeting at 11:37 a.m. to convene the Redevelopment Agency and to meet immediately thereafter in Closed Session in the twelfth floor conference room to discuss existing and anticipated litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

- (7) Council Member McCarty-not present
- (8) Council Member Vargas-not present

PUBLIC COMMENT:

ITEM-PC-10: REFERRED TO CITY MANAGER

Comments by Mark Gregory, Director of the "Back to Basics English and Citizenship Program", Gloria Zolles, Socorro Santos, and Lydia Quintanilla regarding their complaint of the doors being locked to the City-owned building known as the San Ysidro Community Center where the Program was being held. The students could not access the building during class hours, which resulted in a number of students dropping the class. Complaints regarding the locked doors to Casa Familiar, who leases the building from the City, resulted in their being asked to leave. They have filed a complaint in court and Mr. Gregory requested that the City Council take the necessary actions to return this program to the San Ysidro Community Center. He also requested that Council take steps to deny the extension of the lease to Casa Familiar, which expires on October 31, 1997, so that the building can be used for the benefit of the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A029-081.)

ITEM-PC-11:

Comment by Reverend Sky regarding the homeless population that are being harassed by police officers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A097-126.)

COUNCIL COMMENT:

None.

ITEM-310:

SUBJECT: Jerome ("Jerry") S. Parker Day.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-98-250) ADOPTED AS RESOLUTION R-289160

Recognizing and commending Jerome S. Parker on the occasion of his retirement and thanking him for his many years of exemplary professional and community service to the City;

Proclaiming September 11, 1997 to be "Jerome ("Jerry") S. Parker Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A127-245.)

MOTION BY WARDEN TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-330:

SUBJECT: A Community Plan Amendment to reclassify Capricorn Way, between Black Mountain and Bootes Street in the Mira Mesa Community Planning Area from a four-lane collector street to a two-lane collector street.

(Mira Mesa Community Plan Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-55) ADOPTED AS RESOLUTION R-289161

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-96-0660 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration reflects the independent judgment of the City of San Diego as Lead Agency; and that said declaration has been reviewed and considered by Council.

Subitem-B: (R-98-56) ADOPTED AS RESOLUTION R-289162

Adoption of a Resolution amending the Progress Guide and General Plan and the Mira Mesa Community Plan to change the designation of Capricorn Way, between Black Mountain Road and Bootes Street, from a four-lane collector street to a two-lane collector street.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to approve the reclassification.

Ayes: Neils, Anderson, Butler, Quinn, Watson and White

Not present: Skorepa

The Mira Mesa Community Planning Group has recommended approval of the reclassification.

The Mira Mesa Town Council has recommended approval of the reclassification.

SUPPORTING INFORMATION:

Capricorn Way, between Black Mountain Road and Bootes Street, is constructed as a two-lane collector street and carries 12,200 Average Daily Traffic (ADT). Between Pegasus Avenue and Bootes Street, the curb-to-curb width is 40 feet with stop signs at Pegasus Avenue, Polaris Drive and Bootes Street. It is posted 25 MPH, with parking allowed on both sides. Between Black Mountain Road and Pegasus Avenue, the curb-to-curb width is 68 feet at Black Mountain Road and tapers to 40 feet at Pegasus Avenue. At the intersection with Black Mountain Road, Capricorn Way is striped for two lanes entering and two lanes exiting on the west leg. Along Capricorn Way, west of Pegasus Avenue, the neighborhood is fully developed with houses fronting Capricorn Way on both sides with structures setback about 25 feet from the curb.

The forecasted traffic volumes for Capricorn Way between Black Mountain Road and Bootes Street is 16,000 ADT. Residents have been overwhelmed by non-neighborhood cut-through traffic. To discourage cut-through traffic, the City has installed turn prohibitions at the Capricorn Way/Black Mountain Road intersection. To reduce speeding, the City has installed several road humps on Capricorn Way from Pegasus to Camino Ruiz.

The Mira Mesa Traffic Advisory Committee is still concerned about the traffic flow on Capricorn Way and recommended that the Mira Mesa Community Plan be amended to designate Capricorn Way, between Black Mountain Road and Bootes Street, as a two-lane collector street to reflect the existing as-built condition of Capricorn Way.

Historical Site Board voted 9-1-1 to approve the historic designation.

Ayes: Barr, Bishop, Brown, Christenson, Furlong, May,
Riley, Jr., Stiegler, Stykes
Nays: Iseman
Abstaining: Strahm
Not present: Austin

SUPPORTING INFORMATION:

The historical site designation of the two walls of the building on Lot A, Block 157, on San Diego Gas & Electric's (SDG&E) property located at 75 9th Avenue, was decided by the Historical Site Board on June 25, 1997. Don Rose, Land Planning and Natural Resources Supervisor for SDG&E, is appealing this decision based on historical, structural, environmental, and economic issues. The Station A "Brick Building" is a 5,000 square foot concrete and unreinforced masonry structure constructed in 1911 by the Chicago firm of Byllesby and Company. It was built as a turbine room addition for the now-demolished first power plant of the City of San Diego (1880-88). This structure is the only extant building of that original plant. The "Brick Building" is a Richardsonian, two-story structure with classical design features such as a series of large keystone arched windows, a circular window and masonry pilasters as well as quoins at the Ninth and Imperial Corner. The Ninth Avenue facade has been altered by the addition of an unsympathetic rollup door. Nonetheless, both the Imperial Avenue and Ninth Street Facades are primarily intact and are excellent examples of the turn-of-the-century Richardsonian industrial architectural style.

LEGAL DESCRIPTION:

The subject property is located at 75 9th Avenue and is more particularly described as Lot A in Block 157 of Horton's Addition in the City of San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A246-255; A370-404.)

CONSENT MOTION BY STEVENS TO CONTINUE THIS ITEM TO SEPTEMBER 23, 1997, AT THE REQUEST OF THE CITY MANAGER, FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-332: CONTINUED TO TUESDAY, OCTOBER 28, 1997

SUBJECT: Matter of the request of Torrey Pines Investment Group

to initiate an amendment to the Progress Guide and General Plan and to the Carmel Valley Community Plan Area. (Torrey Pines Estates).

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-)

Adoption of a Resolution denying the initiation of an amendment to the Carmel Valley Community Plan and Progress Guide and General Plan.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-0 to deny the project.

Ayes: Anderson, Butler, Watson, White

Not present: Quinn, Skorepa

The Carmel Valley Community Planning Board has recommended denial of this project.

SUPPORTING INFORMATION:

On July 24, 1997, the Planning Commission of the City of San Diego denied the request of Torrey Pines Investment Group to initiate an amendment to the Progress Guide and General Plan and to the Carmel Valley Community Plan. Torrey Pines Investment Group, the applicant, proposes to amend the Carmel Valley Community Plan to redesignate a 54-acre site from Residential, Neighborhood Commercial and Open Space to Residential and Open Space. A rezoning from A-1-10 to A-1-1 and a development plan to subdivide and construct 33 estate type homes has been submitted with this land use plan amendment initiation request. The amendment is proposed to be processed without the preparation and adoption of a Neighborhood Precise Plan, which is recommended by the Carmel Valley Community Plan. The adopted Carmel Valley Community Plan recommends that, prior to approval of grading, zone changes and subdivision maps to implement community plan proposals, a neighborhood precise plan must be prepared and adopted. The purpose of a precise plan to determine precise density and dwelling unit design, precise road alignments and the sizing and location of other community serving facilities that are not as specifically defined within the framework context of the community plan. The subject property is part of the draft Neighborhood 8A Precise Plan that is currently in process. On October 31, 1995, the City Council referred the draft Neighborhood 8A Precise Plan back to the applicant (Pardee) and

the City Manager, with direction for both parties to work with the other 8A property owners and the state and federal resource agencies to produce a comprehensive plan for the entire neighborhood that is more responsive to on-site natural resources. The City Manager is continuing to work with the affected parties towards this end. The applicant for this community plan amendment wishes to separate from the Neighborhood 8A planning effort to process alone.

LEGAL DESCRIPTION:

The subject property is located at the easterly end of Arroyo Sorrento Road and is more particularly described as a portion of Section 30, Township 14 South, Range 3 West, SBM.

FILE LOCATION: LAND - Carmel Valley Community Plan

COUNCIL ACTION: (Tape location: A266-369.)

MOTION BY MATHIS TO CONTINUE THE HEARING ON THIS APPEAL UNTIL THE REGULARLY SCHEDULED COUNCIL MEETING OF OCTOBER 28, 1997, TO ALLOW FOR COMPREHENSIVE PLANNING, AS STATED IN HIS MEMORANDUM TO THE MAYOR AND COUNCIL DATED SEPTEMBER 9, 1997. DIRECT THE CITY MANAGER TO RETURN TO THE PLANNING COMMISSION, NO LATER THAN OCTOBER 23, 1997, WITH THE INITIATION OF A NEIGHBORHOOD 8A SPECIFIC PLAN/PRECISE PLAN, AND EXTEND AN INVITATION TO TORREY PINES INVESTMENT GROUP AND ALL OTHER OWNERS IN NEIGHBORHOOD 8A TO JOIN THE PARTICIPATING PROPERTY OWNERS IN THIS PROCESS. DIRECT THE CITY MANAGER TO ACCEPT THE SPECIFIC PLAN/PRECISE PLAN AS AN "EXPEDITE" PROJECT. THE RESULTING PLAN SHOULD BE RETURNED FOR COUNCIL CONSIDERATION ON AN ACCELERATED TIME LINE NO LATER THAN ONE YEAR FROM NOW, SEPTEMBER 30, 1998. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-333: CONTINUED TO TUESDAY, SEPTEMBER 30, 1997

SUBJECT: Two actions related to Mira Mesa FY 1998 Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report P97-132. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-126)

Designating an area of benefit in Mira Mesa; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and ordering the proposed Public Facilities Project in the matter of the Mira Mesa Facilities Benefit Assessment Area.

Subitem-B: (R-98-127)

Declaring that the assessment fee schedule contained in the Mira Mesa Public Facilities Financing Plan, as adopted and approved in Resolution R-289086, is an appropriate and applicable Development Impact Fee.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/30/97, LU&H voted 3-0 to approve the City Manager's recommendation to accept recommendations as outlined in City Manager Report P97-132. (Councilmembers Mathis, Wear and Vargas voted yea. Councilmembers Kehoe and Stevens not present.)

FILE LOCATION: Subitems A & B: STRT - FB-12

COUNCIL ACTION: (Tape location: A256-265; A370-404.)

CONSENT MOTION BY STEVENS TO CONTINUE THIS ITEM TO SEPTEMBER 30, 1997, AT THE REQUEST OF COUNCIL MEMBER WARDEN, FOR FURTHER REVIEW OF UNRESOLVED ISSUES BY CITY STAFF AND THE COMMUNITY. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-334:

SUBJECT: Two actions related to Sale of the Fay Avenue Parcel to Support the Housing Trust Fund.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-297) ADOPTED AS RESOLUTION R-289163

Adoption of a Resolution approving the Coastal Development Permit No. CDP-96-0176 for the vacation of Girard Avenue (formerly Fay Avenue), in accordance with Section 66499.20 1/2 of the State Subdivision Map.

Subitem-B: (R-98-236) ADOPTED AS RESOLUTION R-289164

Approving Parcel Map W.O. No. 96-202, including the vacation of Girard Avenue (formerly Fay Avenue), the revestment of abutters access rights, and the dedication of a portion of Muirlands Drive.

CITY MANAGER SUPPORTING INFORMATION:

On October 4, 1994, the City Council ordered the transfer of title to a parcel of City-owned land known as the "Fay Avenue Parcel" to the Housing Commission and directed the Commission to return to Council with recommendations on how this parcel could be used to support affordable housing in the La Jolla area. On May 23, 1995, the Housing Commission returned to Council with its report and the Council directed the Commission to market the property, return to Council with any responsible purchase offer for final approval, and to place the proceeds from the sale in the San Diego Housing Trust Fund to support eligible affordable housing activities. The property was actually transferred to the Housing Commission on December 5, 1995. On April 1, 1997, the City Council approved the sale of the parcel for \$2.5 million to Douglas A. and Patricia M. Holmes. The following actions are in support of that sale which closes escrow on September 29, 1997. The first City Council action requests the approval of Coastal Development Permit CDP-96-0176 which permits the applicant to request the vacation of Girard Avenue (formerly Fay Avenue), a "paper" street encumbering the property. On April 14, 1996, the La Jolla Community Planning Association voted 12-0 to approve the permit and the vacation. On August 29, 1996, the Planning Commission unanimously recommended approval of the permit and the vacation. The second action before the Council is to approve a parcel map needed to make the parcel a developable lot. This map will vacate Girard Avenue, consolidate the numerous individual parcels and the vacated street area into one lot, revert relinquished access rights, and dedicate a portion of the parcel as a public street to widen West Muirlands Drive. Both actions were found to be exempt from CEQA. Nothing in these actions commits the City Council to any approval of a future project to develop this parcel.

FILE LOCATION: Subitem A: STRT - J-2872; Subitem B:
SUBD - Parcel Map W.O. No. 96-202

DEEDFY98-1

COUNCIL ACTION: (Tape location: A370-404.)

Hearing began at 11:34 a.m. and halted at 11:37 a.m.

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-335:

SUBJECT: Approval of a Loan and Housing Development Agreement with Carter Reese & Associates for The Village at Euclid Housing Development.

(See SEDC's memorandum for the agenda of 9/9/97. District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-233) ADOPTED AS RESOLUTION R-289165

Determining that the use of funds from the Mount Hope, Southcrest, and Gateway Center West Redevelopment Projects Low and Moderate Income Housing Funds to provide funding for an Agency Loan and Housing Development Agreement with Carter Reese and Associates for the development of a 23-unit single-family home project (The Village at Euclid Housing Development), in the Central Imperial Redevelopment Project Area, will be of benefit to the Mount Hope, Southcrest, and Gateway Center West Redevelopment Projects.

NOTE: See the Redevelopment Agency Agenda of September 9, 1997 for a companion item.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: A370-404.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-S500:

SUBJECT: One-Year Extension of Centre City Project Area
Committee.

(See Centre City Development Corporation Report dated
8/22/97. Districts-2, 3 and 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-180) ADOPTED AS RESOLUTION R-289166

Authorizing the extension of the Centre City Project
Area Committee for one year from October 1997 to
October 1998.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A370-404.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-not present, Mayor Golding-yea.

ITEM-S501:

SUBJECT: Request for Funding by San Diego Community Housing
Corporation, Inc. (SDCHC) - Nogal Street Project.

(See memorandum from SEDC. Lincoln Park Neighborhood.
District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-232) ADOPTED AS RESOLUTION R-289167

Determining that the use of funds from the Gateway
Center West Redevelopment Project Low and Moderate
Income Housing Fund to provide funding for an agency
loan and housing development agreement with the San
Diego Community Housing Corporation for the development
of three single-family homes (the Nogal Street Project)
in the Central Imperial Redevelopment Project Area will
be of benefit to the Gateway Center West Redevelopment

Project.

NOTE: See the Redevelopment Agency Agenda of 9/9/97 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A370-404.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:37 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A424.)